

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

**RICHARD ARROWSMITH AS LIQUIDATING)
TRUSTEE OF THE HDL LIQUIDATING TRUST.)**

Judgment Creditor/Plaintiff)

vs.)

CASE No. 4:19-mc-00647-JAR

**UCSL LLC D/B/A/ DOWNTOWN URGENT)
CARE, *et al.*)**

Judgment Debtor/Defendant)

PEOPLES NATIONAL BANK)

Garnishee)

MOTION FOR ORDER OF DISBURSEMENT

Comes now, Garnishor and Judgment Creditor/Plaintiff, Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust and for his Motion for Disbursement of Garnished Funds states:

1. On October 21, 2019, this Court issued a Writ of Garnishment to Garnishee, Peoples National Bank in Clayton, Missouri.
2. At the time of the issuance of the Writ of Garnishment, the judgment against the Judgment Debtors/Defendants was \$8,415.00 plus \$54 per diem, as post-judgment interest from and after May 7, 2019.
3. The Writ of Garnishment, Summons and Interrogatories were served upon Peoples National Bank in Clayton Missouri on October 23, 2019.

4. Garnishee, Peoples National Bank filed Responses to the Interrogatories on October 31, 2019, stating it had funds the amount of \$180.82, in its possession belonging to one or both of the Judgment Debtors, and pursuant to the Writ of Garnishment was holding such sums.

5. Notice of the garnishment was provided to the Judgment Debtors pursuant to Missouri Supreme Court Rules 90.03 by mailing a copy of the garnishment documents and notice to debtor of Debtor's Rights to the Judgment Debtors' last known address.

6. On November 7, 2019, this Court issued a Pay-In Order [Doc. 13] for the garnishee to pay the amount held pursuant to the writ of garnishment, as described in garnishee's answer to interrogatories, into the registry of the Court.

7. On November 17, 2019, the Court acknowledge receipt of the funds submitted by garnishee pursuant to the Pay-In Order.

8. Judgment Creditor/Plaintiff's judgment against Judgment Debtors/Defendants is in full force and effect and remains unpaid.

9. Judgment Creditor/Plaintiff moves this Court to enter an Order directing the Clerk of the Court to release the funds being held pursuant to the Pay-In Order, to the attorney for Judgment Creditor/Plaintiff as described below to be applied to the balance of the judgment:

The check should be made payable to the Hall, Estill, Hardwick, Gable, Golden and Nelson IOLTA account and mailed to:

Grace K. Johnson
Hall Estill Attorneys at Law
75 N. East Ave, Suite 500
Fayetteville, AR 72701-5388

WHEREFORE, Garnishor/Judgment Creditor/Plaintiff respectfully requests this Court enter an Order directing the Clerk of the Court to release any funds held pursuant to the Pay-In Order as described above to be applied to the unsatisfied judgment.

BY: /s/ Grace K. Johnson
Grace K. Johnson
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Email: gjohnson@hallestill.com

Attorneys for Judgment Creditor/Plaintiff

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties in the foregoing matter with a copy of this pleading by depositing in the United States mail a copy properly addressed with adequate postage thereon this 5th day of December, 2019.

UCSL LLC d/b/a Downtown Urgent Care
C/O Creighton Cohn, Registered Agent
225 S. Meramec Ave, Suite 1021
Clayton, MO 63105

Sonny Saggar, M.D.
916 Olive Street, Suite 2
St. Louis, MO 63101

PEOPLES NATIONAL BANK *via email: sara.crews@peoplesnationalbank.com*
C/O Kristin Ranciglio OR an Officer of Peoples National Bank
101 South Hanley Road, Suite 100
Clayton, MO 63105

/s/ Grace K. Johnson
Grace K. Johnson